

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF LEWIS COUNTY, WASHINGTON**

AN ORDINANCE DISSOLVING DIKAGE AND DRAINAGE DISTRICT)	ORDINANCE NO. 1320
#1 FOR LEWIS COUNTY PURSUANT TO CHAPTER 36.96 RCW.)	
)	
)	

WHEREAS, the Lewis County Auditor has determined that there is no record of activity for Dikage and Drainage District #1 since 2014 and that the District has not collected assessments for at least 7 years; and

WHEREAS, the District appears to meet a criterion for being inactive and thus subject to dissolution under Chapter 36.96; and

WHEREAS, Chapter 36.96 RCW provides that the dissolution of inactive special purpose districts be initiated by the county legislative authority within whose boundaries such special purpose district lies;

WHEREAS, by Resolution No. 20-245, adopted July 20, 2020, the Board of Lewis County Commissioners declared its intent to dissolve Dikage and Drainage District #1 pursuant to Chapter 36.96 RCW; and

WHEREAS, pursuant to Resolution No. 20-245 a time for a public hearing on the proposed dissolution was set and notice of the hearing was given by publication mailing and posting in the manner described in RCW 36.96.030; and

WHEREAS, pursuant to Resolution No. 20-245 and the Notice of Public Hearing the Board held a Public Hearing on August 17, 2020 after 10:00 am at Lewis County Courthouse, Commissioners' Hearing Room, 351 NW North Street, Chehalis, WA at which time and place and the Board heard and considered comments made by members of the public and county staff regarding the inactive status of the district.

NOW, THEREFORE, The Board of County Commissioners of Lewis County, Washington, does ordain as follows:

Section 1. Findings. The Board adopts the following findings in support of the dissolution of Dikage and Drainage District #1.

- A. Dikage and Drainage District #1 qualifies as an inactive special purpose district because it meets both of the criteria of RCW 36.96.010(3).
 - 1. The District has not carried out any of the special purposes or functions for which it was formed within the preceding consecutive five-year period thus meeting the first criterion in RCW 36.96.010(3) for being an inactive special purpose district.
 - 2. The District has not held an election for the purpose of electing a member of the governing body in the last seven years. Because no election was held within the last seven years, the District meets the second criterion of being inactive.
- B. The dissolution of Dikage and Drainage District #1 is in the public interest because the District:
 - 1. Has not engaged in any actions to serve the public as stated in subsection A;
 - 2. An insufficient number of property owners have been willing to stand for election to maintain an active governing body; and
 - 3. The District does not own or operate any facilities or improvements that necessitate the District continue existence.

Section 2. Any remaining funds held by the Lewis County Treasurer Office on behalf of the Dikage and Drainage District shall be disbursed to Lewis County as provided by RCW 36.96.070.

Section 3. Severability. If a section or provision of this Ordinance is declared by the courts to be invalid, the same shall not affect the validity of this Ordinance as a whole or any part thereof other than the part so declared to be invalid.

Section 4. Effectiveness Pursuant to RCW 36.96.040, Dikage and Drainage District #1 shall cease to exist thirty days after adoption of this Ordinance.

DONE IN OPEN SESSION this 17th day of August, 2020.

APPROVED AS TO FORM:
Jonathan Meyer, Prosecuting Attorney

Jonathan Meyer
By: Deputy Prosecuting Attorney

BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON

Gary Stamper
Gary Stamper, Chair

ATTEST:

Rieva Lester
Rieva Lester, Clerk of the Board

Edna J. Fund
Edna J. Fund, Vice Chair

Robert C. Jackson
Robert C. Jackson, Commissioner



BOCC AGENDA ITEM SUMMARY

BOCC Meeting Date: Aug. 17, 2020

Suggested Wording for Agenda Item:

Agenda Type: Hearing - Ordinance

An Ordinance dissolving Dikage and Drainage District #1 for Lewis County pursuant to Chapter 36.96 RCW

Contact: Amber Smith

Phone:

Department: PAO - Prosecuting Attorney's Office

Description:

Hearing and Ordinance for the Dissolution of Dikage and Drainage District #1

Approvals:

Publication Requirements:

Publications:

User	Status
PA's Office	Approved

Additional Copies:

Larry Grove, Heather Boyer

Cover Letter To:

**AFFIDAVIT
OF PUBLICATION
STATE OF WASHINGTON
COUNTY OF LEWIS**

Alysa Andrews, and/or Mandy Klemola, and/or Kailyn Sawyer,
and/or Cindy Thayer says that she is the legal clerk of

**The
Chronicle**

a semi-weekly newspaper, which has been established, published
in the English language, and circulated continuously as a
semi-weekly newspaper in the City of Centralia, and in Lewis
County, Washington, general circulation in Lewis County for
more than six (6) months prior to the date of the first publication
of the notice hereto attached, and that the said Chronicle was on
the 7th day of July 1941, approved as a legal newspaper by the
Superior Court of said Lewis County. And that the attached is a
true copy and was published in regular issues (and not in
supplement form) of said newspaper as LEGAL # 115112
RE:DDI

once each Week for a period of 3 Weeks

commencing on 07/28/2020 and ending on 08/11/2020

and both regularly distributed to its subscribers during all of said
period. That the full amount of the fee charged for the foregoing
publication is the sum of \$ 62.31

Cindy Thayer
Subscribed and sworn to before me 08/11/2020

Ronda Barr
Notary Public in and for the State of Washington
residing at Chehalis



115112 DDI

**NOTICE OF PUBLIC
HEARING BEFORE
THE LEWIS COUNTY
BOARD OF COUNTY
COMMISSIONERS**

NOTICE IS HEREBY GIV-
EN that the LEWIS
COUNTY, WASHINGTON,
BOARD OF COUNTY
COMMISSIONERS will
hold a public hearing on
August 17, 2020, starting
at or after 10:00 AM. This
time may change due to
COVID-19. For example,
the hearing may start after
3 PM as part of the only
meeting of the day. Please
look at the Commissioners'
hearing schedule at [https://
lewiscountywa.gov/offices/
commissioners/agendas-
calendar/](https://lewiscountywa.gov/offices/commissioners/agendas-calendar/) as August 17,
2020, approaches for up-
dated details.

The public hearing will
consider dissolution of Dik-
age and Drainage District
#1, also known as Davis
Lake Diking and Drainage
District, for inactivity pur-
suant to Chapter 36.96
RCW.

The public hearing will be
at the Lewis County Court-
house, Commissioners'
Hearing Room, 351 NW
North Street, Chehalis,
WA. At the hearing, individ-
uals will be invited to speak
and/or provide written
statements regarding the
proposed changes. All indi-
viduals wishing to speak
are encouraged to attend.
Written comments may be
submitted in advance of
the hearing to:

Amber Smith,
360.740.1240 or
[amber.smith
@lewiscountywa.gov](mailto:amber.smith@lewiscountywa.gov)

The meeting site is barrier
free. People needing spe-
cial assistance or accom-
modations should contact
the Commissioners' Office
at 360-740-1120 or [bocc
@lewiscountywa.gov](mailto:bocc@lewiscountywa.gov) at
least 72 hours in advance
of the meeting.

Published: The Chronicle
July 28, 2020 & August 4 &
11, 2020